

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

OLD REPUBLIC SURETY COMPANY,

Plaintiff,

vs.

MARSICO, LP; MAM ELECTRICAL, INC.;
LOUIS S. MARSICO and MARY ANN
MARSICO,

Defendants.

C.A. No. 2:05-cv-01408-DWA

REQUEST FOR ENTRY OF DEFAULT JUDGMENT

To the Clerk of the U.S. District Court for the Western District of Pennsylvania:

Plaintiff, Old Republic Surety Company ("Old Republic"), by and through its counsel, *BENTZ LAW FIRM, P.C.*, hereby requests that the Clerk enter a default judgment against defendants in the amount of \$89,323.82 and costs upon the following and the Affidavit for Default Judgment which is attached hereto as Exhibit "A":

1. This is an action under a General Agreement of Indemnity entered into by Defendants with Old Republic for recovery of \$68,751.22 paid by Old Republic on behalf of Defendants, payment by Defendants of a deposit with Old Republic of \$15,800.28 which Defendants are contractually obligated to make (the amount Old Republic has reserved for payment of future claims against Defendants), and approximately \$4,772.32 of attorneys fees Old Republic has incurred to date in collecting the aforementioned amounts. Plaintiff's complaint is attached hereto as Exhibit "B" and incorporated by reference as if fully set forth herein.

2. The Affidavit for Default Judgment by Attorney David J. Barton, counsel for Plaintiff, is attached hereto as Exhibit "A" and incorporated by reference as if fully set forth herein.

WHEREFORE, Plaintiff Old Republic Surety Company, requests the Clerk to enter default judgment against Defendants, Marsico, L.P., MAM Electrical, Inc., Louis S. Marsico and Mary Ann Marsico in the amount of \$89,323.82 and costs, pursuant to Fed. R. Civ. P. 55(b)(1).

Respectfully submitted,

/s/ David J. Barton

David J. Barton
PA I.D. No. 81271

BENTZ LAW FIRM, P.C.

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AND NOW, this 24th day of August 2010, pursuant to the Request for Entry of Default Judgment and Affidavit for Default Judgment filed, a default judgment in the amount of \$89,323.82 and costs is hereby entered against Defendants Marsico, L.P., MAM Electrical, Inc., Louis S. Marsico and Mary Ann Marsico.

R.V. Barth, Jr.

Clerk